

**NEW HAMPSHIRE BOARD OF NURSING
MINUTES
October 17, 2013**

Recorder: Kathryn Dickson, Executive Secretary

TOPIC	DISCUSSION	ACTION
1.0 Call to Meeting	Nursing students from NHTI were welcomed. M/AF, S/NF to conduct non-public session for purpose of attorney/client discussion. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Board voted as follows: Yea: RD, KB, CS, KK, BF, NF, JK, AF, HF, TC Non-public session began at 8:05 a.m. and concluded at 8:35 a.m.	Meeting called to order at 8:00 a.m. with R. Duhaime, Chair, presiding. Board members present: K. Baranowski (KB), C. Smith (CS), K. Kidder (KK), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), A. Finn-Waddell (AF), T. Collins (TC), H. Featherston (HF) Board staff absent: B. Libby (BL) Board staff present: D. Nies (DN), S. Goodness (SG), K. Dickson (KD), A. Pavlidis (AP), L. Tetreault (LT)
1.1 Open Forum	None.	
1.2 Addendum		
1.2.1 Additions		2.2.4 Emergency Suspension Meeting Minutes 9.2.1.1 S. Rice, Additional documentation 10.1.6 Alvirne High School, LNA Program 10.3.1.1 Salter School documentation
1.2.2 Deletions	8.3 R. Perkins, 2:00 appearance	
1.3 Appearances		7.1.1 S. Day 8:30 a.m. 7.1.2 J. Williams 9:00 a.m. 7.1.3 A. Hunt 10:00 a.m. 7.1.4 L. Gendron 11:00 a.m. 9.2.1 S. Rice 1:00 p.m. 10.3.1 D. Bourcier, Salter School 1:15 p.m. 8.3 R. Perkins 2:00 p.m.
2.0 Approval of minutes		
2.1 September 19, 2013 Regular meeting minutes	Reviewed and discussed.	M/KK/S/NF to approve minutes as written. Unanimous.

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Discipline/Practice Restrictions			
7.2.1	J. Jarry, LNA (VS) #049069-24	Previously reviewed.	M/JK, S/TC to accept Voluntary Surrender as proposed. Unanimous.
7.2.2	E. Morissette, LPN (SA) #006510-22	Previously reviewed.	M/JK, S/TC to accept Settlement Agreement as proposed. Unanimous.
7.4	Dismissals (Proposed)		
7.4.1	D. B., LPN	Previously reviewed.	M/JK, S/TC to accept recommendations as proposed. Unanimous.
7.4.2	J. A., RN	Removed from Consent Agenda for review.	M/JK, S/TC to deny recommendations as proposed and dismiss case. Unanimous.
7.4.3	R. L., RN	Previously reviewed.	M/JK, S/TC to accept recommendations as proposed. Unanimous.
7.5	Recommendations (Proposed)		
7.5.1	A. B., LNA	Previously reviewed.	M/JK, S/TC to accept recommendations as proposed. Unanimous.
7.5.2	M. H., LNA	Previously reviewed.	M/JK, S/TC to accept recommendations as proposed. Unanimous.
7.5.3	M. A., LPN	Previously reviewed.	M/JK, S/TC to accept recommendations as proposed. Unanimous.
8.0	Adjudicative (Executive Director)		
8.2	Recommendations (Proposed) BF recused		
8.2.1	D. K., RN	Previously reviewed.	M/JK, S/TC to accept recommendations as proposed. Unanimous.
8.2.2	J. C., LPN	Previously reviewed.	M/JK, S/TC to accept recommendations as

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8.2.3	A. V., RN	Previously reviewed.	proposed. Unanimous. M/JK, S//TC to accept recommendations as proposed. Unanimous.
8.2.4	A. G., LNA	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
8.2.5	P. D., APRN	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
8.2.6	C. R., LNA	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
8.2.7	S. R., LNA	Removed from Consent Agenda for review.	M/JK, S//TC to accept recommendations as proposed. Letter of concern shall be sent to facility. Unanimous.
9.0	Licensure		
9.3	Licensure (Non-appearance)		
9.3.1	J. T., LNA renewal	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.2	B. B., LNA licensure	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.3	T. F., LNA licensure	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.4	S. M., LPN exam	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.

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9.3.5	L. B., LNA licensure	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.6	A. G., LNA licensure	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.7	E.A., LNA program	Removed from Consent Agenda for review.	M/AF, S//KB to deny request for LNA licensure in NH based on information provided. Yea: RD, KB, CS, KK, BF, NF, AF, HF Nay: JK, TC Motion carries.
9.3.8	K. R., RN exam	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.9	L. S., LNA licensure	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
9.3.10	J. R., LNA licensure	Previously reviewed.	M/JK, S//TC to accept recommendations as proposed. Unanimous.
10.0	Education		
10.1	Consideration for Continuing Approval		
10.1.2	Berlin High School – Health Science Technology LNA Program	Previously reviewed.	M/JK, S//TC to grant <i>Continued Approval</i> to program and coordinator. Unanimous.
10.1.3	Plymouth Regional Technical Center LNA Program	Previously reviewed.	M/JK, S//TC to grant <i>Continued Approval</i> to program and coordinator. Unanimous.
10.1.4	R. W. Creteau Regional Technology Center LNA Program	Previously reviewed.	M/JK, S//TC to grant <i>Continued Approval</i> to program and coordinator. Unanimous.

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4.0 Report of Executive Director/Staff	DN informed Board that parking may be an issue with move to Philbrook Building. She sent emails to nursing department heads to let them know of limited parking and students who plan to attend Board meetings should consider car-pooling. Notices of move of November 6 and 7 are on Board website and cards have been sent to November renewals to remind them to address renewals with Board office before November 1. Hope to be fully operational by November 7.	
4.1 Expense Summary Budget	FYI.	
4.3 NCLEX discussion (AP)	AP reviewed NCLEX results with Board. Discussed changes in AD test plan and increase in test score logits which may affect results. Planned site visit to WMCC on October 23.	
4.4 Approval of CaMLA (DN)	Reviewed Cambridge Michigan Language Assessments (CaMLA) Michigan English Language Assessment Battery (MELAB), a college admissions credential for students whose native language is not English.	Board consensus to register as MELAB Recognizing Organization.
4.5 Survey: LPN/Hyperalimentation (DN)	Reviewed survey done via NCSBN regarding allowance of LPN IV Course to teach administration and monitoring of hyperalimentation fluids per IV.	M/NF, S/BF to affirm that administration of TPNs is outside scope of practice of LPN. Unanimous.
4.6 On-line Board packets	DN discussed with Board possibility of accessing monthly Board packets on-line to alleviate printing costs. There is secure website available that a number of state agencies already utilize for this purpose.	DN to investigate further.
4.7 Cadet Nurse Corps (DN)	Women who served in Cadet Nurse Corps during World War II have been trying for years to get Congressional recognition as veterans so that they may receive the same benefits as their fellow service men and women, specifically Social Security benefits. Article will be published in Board Fall newsletter by Joanne Welch, RN.	FYI.
4.8 Chapter 100 and 600 administrative rule changes and additions (DN)	Board reviewed amendments made to Chapter 100 and 600 administrative rules for possible submission to JLCAR in January.	M/KB, S/NF to approve amendment to Nur 101.20 to read as follows: “Stable client” means a client whose health

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		<p>status is at the expected baseline, or with predictable or expected responses that can occur with known chronic or long term medical conditions.” Additional proposed amendments will not be ready for January JLCAR. Unanimous.</p>
11.0 Practice Inquiries and Practice Committee Reports 11.1 Liaison Committee (KK) 11.2 P & E meeting (NF)	KK reported on October 3 meeting. CNM member is resigning – committee is looking for replacement. No meeting.	
12.0 Committee Reports and Recommendations 12.1 HeM 1201 (TC) 12.2 Day of Discussion 12.2.1 RN/LPN Day of Discussion (AP) 12.2.2 LNA Day of Discussion (LT) 12.2.3 ADA (NF, AF, TC)	No report. AP obtaining topics of interest for future Day of Discussion to be held in Spring. Fall MNA Day of Discussion cancelled due to planned move for Board of Nursing. Planned Program Director’s meeting for November 5. No applicants.	
7.0 Adjudicative (Investigator/Prosecutor) 7.1 Hearings 7.1.4 L. Gendron, LPN #006103-22	Hearing held in absentia for L. Gendron, LPN #006103-22, Docket #13-1003-0388, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 11:06 a.m. with R. Duhaime Chair presiding. Board members present: K. Baranowski (KB), C. Smith (CS), K. Kidder (KK), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), A. Finn-Waddell (AF), T. Collins (TC), H. Featherston (HF) Board staff present: S. Goodness (SG), K. Dickson (KD), L. O'Connor (LO), Hearing Counsel for Board Reading of Notice of Hearing waived. Witnesses present to offer testimony: Brett Lennerton, Administrator, Laurel Center	M/NF, S/JK to affirm Hearing Counsel's Proposed Findings of Facts #1-#10; affirm Hearing Counsel's Proposed Rulings of Law#1; affirm Hearing Counsel’s Proposed Sanctions #1 to continue SUSPENSION of Respondent’s license pending full investigation by Board. Unanimous. (See Docket #13-1003-0388)

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<p>7.3 Motion for Reconsideration/Rehearing/ Continuance/Dismissal/Pre-hearing Conference</p> <p>7.3.1 E. Bois, RN #045812-21 Reply to Hearing Counsel's Objection to Motion to Dismiss</p> <p>7.3.2 K. Contant, RN #061660-21 Reply to Hearing Counsel's Objection to Motion to Dismiss</p> <p>7.3.3 J. Pawlowski, RN #067037-21 Reply to Hearing Counsel's Objection to Motion to Dismiss</p> <p>7.3.4 R. Brewer-Durkee Motion to Compel Document Production</p>	<p>Hearing concluded at 11:17 a.m.</p> <p>Reviewed and discussed Reply to Hearing Counsel's Objection to Respondent's Motion to Dismiss.</p> <p>Reviewed and discussed Reply to Hearing Counsel's Objection to Respondent's Motion to Dismiss.</p> <p>Reviewed and discussed Reply to Hearing Counsel's Objection to Respondent's Motion to Dismiss.</p> <p>Reviewed and discussed Motion to Compel Document Production.</p> <p>M/NF, S/TC to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: RD, KB, CS, KK, BF, NF, JK, AF, HF, TC Non-public session began at 12:30 p.m. and concluded at 1:10.m.</p>	<p>M/KB, S/NF to deny Reply to Hearing Counsel's Objection to Respondent's Motion to Dismiss based on contents of Hearing Counsel's Objection to Respondent's Motion to Dismiss 1 – 13. Unanimous.</p> <p>M/KB, S/NF to deny Reply to Hearing Counsel's Objection to Respondent's Motion to Dismiss based on contents of Hearing Counsel's Objection to Respondent's Motion to Dismiss 1 – 13. Unanimous.</p> <p>M/KB, S/NF to deny Reply to Hearing Counsel's Objection to Respondent's Motion to Dismiss based on contents of Hearing Counsel's Objection to Respondent's Motion to Dismiss 1 – 9. Unanimous.</p> <p>M/NF, S/BF to deny Respondent's Response to Hearing Counsel's Motion to Compel Document Production based on contents of Hearing Counsel's Objection to Respondent's Motion to Compel Document Production. NH BON has no jurisdiction to subpoena another State's facility medical records. Unanimous.</p>

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11.0 Practice Inquiries and Practice Committee Reports 11.3 Request for Board advice re: 11.3.1 RN Scope of Practice: APRN and RN scope of practice: Administration of botox	Revisited whether or not it is within APRN scope of practice to administer botox for hyperhidrosis (excessive underarm sweating) and also to supervise RNs for same.	M/KK, S/TC to reaffirm that it is within APRN scope of practice to administer Botox with competencies. It is within RN scope of practice to administer Botox with proper training, competency and facility policy. Unanimous.
10.0 Education 10.1 Consideration for Continuing Approval 10.1.5 Keene State College RN BS Program 10.1.6 Alvirne High School LNA Program 10.3 Educational Issues 10.3.1 Proposed Rules for Pilot Programs (AP) Deborah Bourcier Salter School of Nursing	AP and KB did site visit on October 9, 2013. Report available at November Board meeting. Reviewed and discussed. Reviewed with Deb Bourcier, Program Director, Salter School of Nursing and Allied Health, proposal for one-time pilot program using simulation in lieu of maternal/child clinical.	M/NF, S/HF to grant <i>Continued Approval</i> to program and coordinator. Unanimous. M/KK, S/TC to approve one-time pilot program with one clinical rotation using simulation in lieu of a maternal/child clinical due to the difficulty of retaining special clinical experiences. Unanimous.
9.0 Licensure 9.2 Licensure by exam 9.2.1 S. Rice, NCLEX-PN 9.2.2 M. Evans, NCLEX	S. Rice provided testimony in support of petition to be permitted to sit for NCLEX-PN in NH. M. Evans provided testimony in support of request to be permitted retake NCLEX exam in NH.	M/KB, S/NF to allow S. Rice to sit for NCLEX-PN in NH. Unanimous. M/KB, S/KK to deny request to retake NCLEX exam in NH based on verbal information provided. Unanimous.
10.0 Education 10.1 Consideration for Continuing Approval 10.1.1 River Valley Community College RN AD Program	Reviewed and discussed site visit review report.	M/NF, S/AF to grant <i>Conditional Approval</i> for RVCC AD Program to be granted for one year beginning October 17, 2013. Under conditional approval, there must be substantial improvement in NCLEX testing scores (achieving or surpassing the national benchmark for NCLEX RN scores) and

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		evidence of substantive revision and integration of curriculum, for BON to consider full approval of program. If NCLEX scores remain below national average and corrective actions are not implemented within timeline identified pursuant to Nur 603.09, Board will require RVCC to appear for hearing for further action on program approval. Unanimous.
17.0 Adjournment	<p>Next regular meeting: November 21, 2013 8:00 a.m. NH Board of Nursing Education Conference Room 100 First Floor 21 South St Concord, NH 03301</p>	<p>Meeting adjourned at 3:41 p.m.</p> <p>Respectfully submitted,</p> <p>Denise Nies, MSN, RN, BC Executive Director</p>